

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,)	No. ED102867
)	
Plaintiff/Respondent,)	Appeal from the Circuit Court of
)	the City of St. Louis
v.)	
)	Honorable Steven R. Ohmer
JOHN SHOCKLEY, SR.,)	
)	
Defendant/Appellant.)	Filed: February 28, 2017

John Shockley, Sr. (Appellant) appeals from the trial court's judgment convicting him of the class C felony of stealing a motor vehicle and sentencing him to three years as a persistent offender.

REVERSED AND REMANDED.

Division Two Holds: Appellant's motor-vehicle stealing conviction under Section 570.030.3(3)(a)¹ did not include the value of the motor vehicle as an element of the crime; thus, Section 570.030.3(1) may not be used to enhance Appellant's motor-vehicle stealing conviction to a class C felony.

Opinion by: Sherri B. Sullivan, P.J. Roy L. Richter, J., and Colleen Dolan, J., concur.

Attorney for Appellant: Matthew W. Huckleby and Chad M. Oliver

Attorney for Respondent: Nathan J. Aquino

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.
--

¹ All statutory references are to RSMo 2000.